

Message Text

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C O N F I D E N T I A L STATE 248296

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: OFF-SHORE BOUNDARY DELIMITATION

REF. OSLO 4752

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1. EMBASSY MAY DRAW UPON INFORMATION BELOW IN DISCUSSIONS

WITH NORWEGIANS ON OFF-SHORE BOUNDARY DELIMITATION.
PLEASE REPORT ANY SUCH DISCUSSIONS.

2. LOS NEGOTIATIONS ON DELIMITATION OF THE ECONOMIC ZONE AND CONTINENTAL SHELF BETWEEN OPPOSITE AND ADJACENT STATES CONTINUE TO REFLECT BILATERAL NATURE OF THE ISSUE. THERE WAS NO REAL NEGOTIATION DURING THE RECENT SESSION OF THE CONFERENCE, RATHER MOST DELEGATIONS REITERATED PREVIOUSLY STATED POSITIONS. DEBATE CENTERED PRIMARILY ON PARAGRAPHS 1 AND 3 OF ARTICLES 62 AND 71, OF PART II OF THE RSNT, WITH THOSE FAVORING THE MEDIAN LINE AS THE PRIMARY METHOD OF DELIMITATION OPPOSING THE RSNT PROVISIONS. STATES FAVORING THE APPLICATION PRIMARILY OF EQUITABLE PRINCIPLES, OR SPECIAL CIRCUMSTANCES, GENERALLY SUPPORTED THE RSNT. STATES WITH BILATERAL BOUNDARIES DISPUTES TENDED TO ENSURE THAT THEIR POSITION WAS PUT BEFORE THE CONFERENCE. THUS, NORWAY SUPPORTED

AMENDMENTS TO PARAGRAPHS 1 AND 3 THAT FAVORED THE MEDIAN LINE, WHILE THE SOVIET UNION SUPPORTED THOSE PARAGRAPHS IN THE CURRENT TEXT. OTHER PAIRINGS WERE ALSO APPARENT, E.G., GREECE AND TURKEY; TUNISIA AND LIBYA; VENEZUELA AND COLOMBIA. THE PRESENT TEXT SEEMS ACCEPTABLE TO MANY STATES AND THERE WAS NO CLEAR BASIS FOR AMENDING IT. WE ANTICIPATE THAT THIS SUBJECT WILL BE UNDER CONSIDERATION AT THE NEXT SESSION OF THE CONFERENCE. IT APPEARS, HOWEVER, THAT THERE WILL NOT RPT NOT BE AGREEMENT ON THE MEDIAN LINE AS THE PRIMARY METHOD OF DELIMITATION.

3. THE U.S. HAS ASSUMED A LOW PROFILE IN THE LOS NEGOTIATIONS ON THIS ISSUE. FYI: WE HAVE DONE SO PRIMARILY BECAUSE OVERTLY FAVORING ONE APPROACH OR THE OTHER MIGHT HAVE SIGNIFICANT ADVERSE IMPACT ON OUR RELATIONS WITH CERTAIN OTHER NATIONS, E.G., GREECE AND TURKEY. IN ADDITION, ALTHOUGH WE SUPPORT THE PRESENT ARTICLES 62 AND 71 WE HAVE NOT FOUND IT NECESSARY TO INTERVENE IN THE DEBATES TO PROTECT OUR BILATERAL INTERESTS. END FYI. WE BELIEVE THAT DELIMITATION QUESTIONS ARE ESSENTIALLY BILATERAL IN NATURE AND THAT

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THE LOS TREATY SHOULD PROVIDE A GENERAL FRAMEWORK WITHIN WHICH AGREEMENT BY THE PARTIES THROUGH BILATERAL NEGOTIATIONS MAY BE REACHED. AN LOS TEXT WHICH TILTS DECIDEDLY IN ONE DIRECTION OR THE OTHER IS LIKELY TO CREATE A SEVERE REACTION FROM QTE AGGRIEVED UNQTE PARTIES. WITHIN THIS FRAMEWORK WE BELIEVE THAT THE PRESENT PROVISIONS OF ARTICLES 62 AND 71 CAN BE THE BASIS OF AGREEMENT. WE DID NOT INTERVENE IN THE

DEBATE ON THE SUBJECT AT THE RECENT SESSION OF THE
LOS CONFERENCE.

4. WE BELIEVE THAT THE MEDIAN LINE MAY BE APPLIED IN
BILATERAL NEGOTIATIONS WHERE THAT WOULD LEAD TO AN
EQUITABLE RESULT. THUS, IN THE CASE OF THE NORWEGIAN-
SOVIET OFF-SHORE BOUNDARIES TALKS AS HAS BEEN STATED
HERETOFORE, WE ARE SYMPATHETIC TO NORWEGIAN CONCERNS
AND HAVE NO OBJECTION TO THE NORWEGIAN MEDIAN LINE
POSITION. WHENEVER POSSIBLE WE ARE ANXIOUS TO SUPPORT
THE NORWEGIANS AS THEY SEEK TO RESOLVE THEIR BILATERAL
PROBLEMS WITH THE USSR. FYI: WE DO NOT RPT NOT WISH
TO EXPRESS SPECIFIC SUPPORT FOR NORWEGIAN MEDIAN LINE,
PUBLICLY OR PRIVATELY INCLUDING DIRECTLY TO THE
NORWEGIANS, IN ORDER NOT TO PREJUDICE OR UNDERCUT
U.S. OPTIONS IN OUR ONGOING OR FUTURE BOUNDARY NEGOTIA-
TIONS WITH OTHER STATES. END FYI. ROBINSON

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